

STATE COMMITTEE OF DIETITIANS

STATUTES & RULES



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The Honorable Michael L. Parson
Governor

Chlora Lindley-Myers, Director
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Division of Professional Registration

State Committee of Dietitians



STATE OF MISSOURI

Division of Professional Registration

This booklet is a publication of the Missouri Division of Professional Registration, State Committee of Dietitians.

STATUTES

324.200. Dietitian practice act--definitions.

1. Sections 324.200 to 324.225 shall be known and may be cited as the "Dietitian Practice Act".

2. As used in sections 324.200 to 324.225, the following terms shall mean:

(1) "**Accreditation Council for Education in Nutrition and Dietetics**" or "**ACEND**", the Academy of Nutrition and Dietetics accrediting agency for education programs preparing students for professions as registered dietitians;

(2) "**Committee**", the state committee of dietitians established in section 324.203;

(3) "**Dietetics practice**", the application of principles derived from integrating knowledge of food, nutrition, biochemistry, physiology, management, and behavioral and social science to achieve and maintain the health of people by providing nutrition assessment and nutrition care services. The primary function of dietetic practice is the provision of nutrition care services that shall include, but not be limited to:

(a) Assessing the nutrition needs of individuals and groups and determining resources and constraints in the practice setting;

(b) Establishing priorities, goals, and objectives that meet nutrition needs and are consistent with available resources and constraints;

(c) Providing nutrition counseling or education in health and disease;

(d) Developing, implementing, and managing nutrition care systems;

(e) Evaluating, making changes in, and maintaining appropriate standards of quality and safety in food and in nutrition services;

(f) Engaged in medical nutritional therapy as defined in subdivision (8) of this section;

(4) "**Dietitian**", one engaged in dietetic practice as defined in subdivision (3) of this section;

(5) "**Director**", the director of the division of professional registration;

(6) "**Division**", the division of professional registration;

(7) "**Licensed dietitian**", a person who is licensed pursuant to the provisions of sections 324.200 to 324.225 to engage in the practice of dietetics or medical nutrition therapy;

(8) "**Medical nutrition therapy**", the provision of nutrition care services for the treatment or management of a disease or medical condition;

(9) "**Registered dietitian**" or "**registered dietitian nutritionist**", a person who:

(a) Has completed a minimum of a baccalaureate degree granted by a United States regionally accredited college or university or foreign equivalent;

(b) Completed the academic requirements of a didactic program in dietetics, as approved by ACEND;

(c) Successfully completed the registration examination for dietitians; and

(d) Accrued seventy-five hours of approved continuing professional units every five years; as determined by the Committee on Dietetic Registration.

(L. 1998 H.B. 1601, et al. merged with S.B. 650, A.L. 2004 S.B. 1122, A.L. 2008 S.B. 788, A.L. 2018 H.B. 1719 merged with S.B. 840, A.L. 2021 H.B. 273 merged with H.B. 476)

324.203. State committee of dietitians established, membership, terms, removal, qualifications, compensation, meetings, quorum, powers and duties.

1. There is hereby created within the division of professional registration, a committee to be known as the "State Committee of Dietitians". The committee shall assist the division in administering and enforcing the provisions of sections 324.200 to 324.225, adopt, publish, and enforce such rules and regulations within the scope and purview of the provisions of sections 324.200 to 324.225 as may be considered to be necessary or proper for the effective administration and interpretation of the provisions of sections 324.200 to 324.225, and for the conduct of its business and management of its internal affairs.

2. The committee shall approve the examination required by section 324.210.

3. The committee shall consist of six members including one public member, appointed by the governor with the advice and consent of the senate. Each member of the committee shall be a citizen of the United States and a resident of this state, and, except as provided in this section and except for the first members appointed, shall be licensed as a dietitian by this state. Beginning with the first appointments made after August 28, 1998, two members shall be appointed for four years, two members shall be appointed for three years and two members shall be appointed for two years. Thereafter, all members shall be appointed to serve four-year terms. No person shall be eligible for reappointment who has served as a member of the committee for a total of eight years. The membership of the committee shall reflect the differences in levels of education and work experience with consideration being given to race, gender, and ethnic origins. No more than three members shall be from the same political party. The membership shall be representative of the various geographic regions of the state.

4. A vacancy in the office of a member shall be filled by appointment by the governor for the remainder of the unexpired term.

5. Each member of the committee shall receive as compensation an

amount set by the division not to exceed fifty dollars, and shall be reimbursed for necessary and actual expenses incurred in the performance of the member's official duties. The director of the division of professional registration shall establish by rule guidelines for payment. All staff for the committee shall be provided by the division.

6. The committee shall hold an annual meeting at which it shall elect from its membership a chairperson and secretary. The committee may hold such additional meetings as may be required in the performance of its duties, provided that notice of every meeting shall be given to each member at least three days prior to the date of the meeting. A quorum of the committee shall consist of a majority of its members.

7. The governor may remove a committee member for misconduct, incompetency, neglect of the member's official duties, or for cause.

8. The public member shall be at the time of the person's appointment a citizen of the United States; a resident of this state for a period of one year and a registered voter; a person who is not and never was a member of any profession licensed or regulated by sections 324.200 to 324.225, or the spouse of such a person; and a person who does not have and never has had a material financial interest in either the providing of the professional services regulated by sections 324.200 to 324.225, or an activity or organization directly related to any profession licensed or regulated by sections 324.200 to 324.225. The duties of the public member shall not include the determination of the technical requirements to be met for licensure or whether any person meets such technical requirements or of the technical competence or technical judgment of a licensee or a candidate for licensure.

(L. 1998 H.B. 1601, et al. merged with S.B. 650, A.L. 1999 H.B. 343, A.L. 2004 S.B. 1122, A.L. 2008 S.B. 788)

324.205. Title of licensed dietitian, use permitted, when — penalty.

1. Any person who holds a license to practice dietetics in this state may use the title "Dietitian" or the abbreviation "L.D." or "L.D.N.". No other person may use the title "Dietitian" or the abbreviation "L.D." or "L.D.N.". No other person shall assume any title or use any title or use any abbreviation or any other words, letters, signs, or devices to indicate that the person using the same is a licensed dietitian.

2. No person shall practice or offer to practice dietetics in this state for compensation or use any title, sign, abbreviation, card, or device to indicate that such person is practicing dietetics unless he or she has been duly licensed pursuant to the provisions of sections 324.200 to 324.225.

3. Any person who violates the provisions of subsection 1 of this section is guilty of a class A misdemeanor.

(L. 1998 H.B. 1601, et al. merged with S.B. 650, A.L. 1999 H.B. 343, A.L. 2004 S.B. 1122, A.L. 2018 H.B. 1719 merged with S.B. 840)

324.206. Permitted acts by persons not holding themselves out as dietitians — requirements before performing acts or services.

1. As long as the person involved does not represent or hold himself or herself out as a dietitian as defined by subdivision (4) of subsection 2 of section 324.200, nothing in sections 324.200 to 324.225 is intended to limit, preclude, or otherwise interfere with:

(1) Self-care by a person or gratuitous care by a friend or family member;

(2) Persons in the military services or working in federal facilities from performing any activities described in sections 324.200 to 324.225 during the course of their assigned duties in the military service or a federal facility;

(3) A licensed health care provider performing any activities described in sections 324.200 to 324.225 that are within the scope of practice of the licensee;

(4) A person pursuing an approved educational program leading to a degree or certificate in dietetics at an accredited or approved educational program as long as such person does not provide dietetic services outside the educational program. Such person shall be designated by a title that clearly indicates the person's status as a student;

(5) Individuals who do not hold themselves out as dietitians marketing or distributing food products including dietary supplements as defined by the Food and Drug Administration or engaging in the explanation and education of customers regarding the use of such products;

(6) Any person furnishing general nutrition information as to the use of food, food materials, or dietary supplements, nor prevent in any way the free dissemination of literature;

(7) A person credentialed in the field of nutrition from providing advice, counseling, or evaluations in matters of food, diet, or nutrition to the extent such acts are within the scope of practice listed by the credentialing body and do not constitute medical nutrition therapy; provided, however, no such individual may call himself or herself a dietitian unless he or she is licensed under this chapter.

2. A credentialed person not representing or holding himself or herself out as a dietitian, who performs any of the acts or services listed in subsection 1 of this section, shall provide, prior to performing such act or service for another, the following:

(1) The person's name and title;

- (2) The person's business address and telephone number;
- (3) A statement that the person is not a dietitian licensed by the state of Missouri;
- (4) A statement that the information provided or advice given may be considered alternative care by licensed practitioners in the state of Missouri; and
- (5) The person's qualifications for providing such information or advice, including educational background, training, and experience.

(L. 2004 S.B. 1122, A.L. 2021 H.B. 273 merged with H.B. 476)

324.207. Practice of medicine prohibited, when.

Nothing in sections 324.200 to 324.225 shall be construed to authorize any person licensed pursuant to sections 324.200 to 324.225 as a licensed dietitian to engage in any manner of the practice of medicine as defined by the laws of this state.

(L. 1998 H.B. 1601, et al. merged with S.B. 650)

324.210. Qualifications of applicant for licensure — examination required, exception

1. An applicant for licensure as a dietitian shall be at least twenty-one years of age.

2. Each applicant shall furnish evidence to the committee that:

(1) The applicant has completed a didactic program in dietetics which is approved or accredited by the Accreditation Council for Education in Nutrition and Dietetics and a minimum of a baccalaureate degree from an acceptable educational institution accredited by a regional accrediting body or accredited by an accrediting body which has been approved by the United States Department of Education. Applicants who have obtained their education outside of the United States and its territories must have their academic degrees validated as equivalent to the baccalaureate or master's degree conferred by a regionally accredited college or university in the United States. Validation of a foreign degree does not eliminate the need for a verification statement of completion of a didactic program in dietetics;

(2) The applicant has completed a supervised practice requirement from an institution that is certified by a nationally recognized professional organization as having a dietetics specialty or who meets criteria for dietetics education established by the committee. The committee may specify those professional organization certifications which are to be recognized and may set standards for education training and experience required for those without such specialty certification to become dietitians.

3. The applicant shall successfully pass an examination as determined by the committee and possess a current registration with the Commission on Dietetic Registration. The committee may waive the examination requirement and grant licensure to an applicant for a license as a dietitian who presents satisfactory evidence to the committee of current registration as a dietitian with the commission on dietetic registration.

4. Prior to July 1, 2000, a person may apply for licensure without examination and shall be exempt from the academic requirements of this section if the committee is satisfied that the applicant has a bachelor's degree in a program approved by the committee and has work experience approved by the committee.

5. The committee may determine the type of documentation needed to verify that an applicant meets the qualifications provided in subsection 3 of this section.

(L. 1998 H.B. 1601, et al. merged with S.B. 650, A.L. 1999 H.B. 343, A.L. 2004 S.B. 1122, A.L. 2009 H.B. 811, A.L. 2018 H.B. 1719 merged with S.B. 840)

324.212. Applications for licensure, fees — renewal notices — dietitian fund established.

1. Applications for licensure as a dietitian shall be in writing, submitted to the committee on forms prescribed by the committee and furnished to the applicant. The application shall contain the applicant's statements showing the applicant's education, experience and such other information as the committee may require. Each application shall contain a statement that it is made under oath or affirmation and that the information contained therein is true and correct to the best knowledge and belief of the applicant, subject to the penalties provided for the making of a false affidavit or declaration. Each application shall be accompanied by the fees required by the committee.

2. The division shall mail a renewal notice to the last known address of each licensee prior to the renewal date. Failure to provide the committee with the information required for renewal, or to pay the renewal fee after such notice shall effect a noncurrent license. The license shall be reinstated if, within two years of the renewal date, the applicant submits the required documentation and pays the applicable fees as approved by the committee.

3. A new license to replace any license lost, destroyed or mutilated may be issued subject to the rules of the committee upon payment of a fee.

4. The committee shall set by rule the appropriate amount of fees authorized herein. The fees shall be set at a level to produce revenue which shall not exceed the cost and expense of administering the provisions of sections 324.200 to 324.225. All fees provided for in sections 324.200 to 324.225 shall be collected by the director who shall transmit the funds to the director of revenue to be deposited in the state treasury to the credit of the "Dietitian Fund" which is hereby created.

5. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of general revenue until the amount in the fund at the end of the biennium exceeds three times the amount of the appropriation from the dietitian fund for the preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the fund which exceeds the appropriate multiple of the appropriations from the dietitian fund for the preceding fiscal year.

(L. 1998 H.B. 1601, et al. merged with S.B. 650, A.L. 1999 H.B. 343, A.L. 2001 H.B. 567 merged with S.B. 384, A.L. 2009 S.B. 296)

324.215. Issuance of license, when — reciprocity — reexamination, limitations.

1. The committee shall issue a license to each candidate who files an application and pays the fee as required by the provisions of sections 324.200 to 324.225 and who furnishes evidence satisfactory to the committee that the candidate has complied with the provisions of section 324.210 or with the provisions of subsection 2 of this section.

2. The committee may issue a license to any dietitian who has a valid current license to practice dietetics or medical nutrition therapy in another country, provided that such person is licensed in a country whose requirements for licensure are substantially equal to, or greater than, the requirements for licensure of dietitians in Missouri at the time the applicant applies for licensure.

3. The committee may not allow any person to sit for the examination for licensure as a dietitian in this state who has failed the examination as approved by the committee three times, until the applicant submits evidence of satisfactory completion of additional course work or experience and has been approved by the committee for reexamination.

(L. 1998 H.B. 1601, et al. merged with S.B. 650, A.L. 1999 H.B. 343, A.L. 2004 S.B. 1122, A.L. 2018 S.B. 840)

324.216. Inactive licensure status permitted — practice not permitted while on inactive status.

1. A licensed dietitian may choose not to renew his or her license and thereby allow such license to lapse, or may ask to be put on inactive status, provided such person does not practice dietetics during such period that the license is lapsed or the practitioner is on inactive status. If a person with a lapsed license desires to resume the practice of dietetics, the person shall apply for licensure pursuant to the licensing requirements in effect at the time the person applies to resume the practice of dietetics and pay the required fee as established by the committee. If the person desires to maintain such license on an inactive status and in order to avoid lapsing of such license, the person shall pay the required fee as established by the committee for maintaining an inactive license. An inactive license shall be renewed biennially. An inactive license may be reactivated by the committee as provided by rule.

2. Any person who practices as a dietitian during the time his or her license is inactive or lapsed shall be considered an illegal practitioner and shall be subject to the penalties for violation of the dietitian practice act.

(L. 2004 S.B. 1122)

324.217. Refusal to issue or renew license, when — complaint filed against licensee, when — hearing procedures — maintenance of complaints filed — recommendation for prosecution.

1. The committee may refuse to issue any license or renew any license required by the provisions of sections 324.200 to 324.225 for one or any combination of reasons stated in subsection 2 of this section. The committee shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the right to file a complaint with the administrative hearing commission as provided in chapter 621.

2. The committee may cause a complaint to be filed with the administrative hearing commission as provided in chapter 621 against the holder of any license required by sections 324.200 to 324.225 or any person who has failed to renew or has surrendered the person's license for any one or any combination of the following causes:

(1) Use of fraud, deception, misrepresentation or bribery in securing a license issued pursuant to the provisions of sections 324.200 to 324.225 or in obtaining permission to take the examination required pursuant to sections 324.200 to 324.225;

(2) Impersonation of any person holding a license or allowing any person to use his or her license or diploma from any school;

(3) Disciplinary action against the holder of a license or other right to practice medical nutrition therapy by another state, territory, federal

agency or country upon grounds for which revocation or suspension is authorized in this state;

(4) Issuance of a license based upon a material mistake of fact;

(5) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution pursuant to the laws of any state, of the United States, or of any country, for any offense directly related to the duties and responsibilities of the occupation, as set forth in section 324.012, regardless of whether or not sentence is imposed;

(6) Incompetence, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of the profession that is regulated by sections 324.200 to 324.225;

(7) Violation of, or assisting or enabling any person to violate, any provision of sections 324.200 to 324.225, or any lawful rule or regulation adopted pursuant to such sections;

(8) A person is finally adjudged insane or incompetent by a court of competent jurisdiction;

(9) Use of any advertisement or solicitation that is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(10) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(11) Use or unlawful possession of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession that is licensed or regulated by sections 324.200 to 324.225;

(12) Violation of the drug laws or rules and regulations of this state, any other state or the federal government; or

(13) Violation of any professional trust or confidence.

3. Any person, organization, association or corporation who reports or provides information to the committee pursuant to the provisions of sections 324.200 to 324.225 and who does so in good faith shall not be subject to an action for civil damages as a result thereof.

4. After the filing of a complaint pursuant to subsection 2 of this section, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the committee may, singly or in combination, censure or place the person named in the complaint on probation on such terms and conditions as the committee deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke the license of the person. An individual whose license has been revoked shall wait one year from the date of revocation to apply for re-

licensure. Relicensure shall be at the discretion of the committee after compliance with all requirements of sections 324.200 to 324.225 relative to the licensing of an applicant for the first time.

5. The committee shall maintain an information file containing each complaint filed with the committee relating to a holder of a license.

6. The committee shall recommend for prosecution violations of sections 324.200 to 324.225 to an appropriate prosecuting or circuit attorney.

(L. 1998 H.B. 1601, et al. merged with S.B. 650, A.L. 1999 H.B. 343, A.L. 2001 H.B. 567 merged with S.B. 384, A.L. 2020 H.B. 2046)

324.220. Authority of division.

The division shall:

(1) Employ, within the funds appropriated, such employees as are necessary to carry out the provisions of sections 324.200 to 324.225; and

(2) Exercise all budgeting, purchasing, reporting and other related management functions.

(L. 1998 H.B. 1601, et al. merged with S.B. 650, A.L. 1999 H.B. 343)

324.225. Insurance reimbursement for services not mandated.

1. No provision of sections 324.200 to 324.225 shall be construed to mandate benefits or third-party reimbursement for services of dietitians in the policies or contract of any insurance company, health services corporation or other third-party payer.

2. No provision of sections 324.200 to 324.225 shall be construed to affect procedures for filing for dietitian services provided by agencies, corporations or organizations that employ licensed dietitians.

(L. 1998 H.B. 1601, et al. merged with S.B. 650)

324.228. Rulemaking authority — nonseverability, when.

Any rule or portion of a rule, as that term is defined in section 536.010, that is promulgated by the division of professional registration to administer and enforce sections 324.200 to 324.225, shall become effective only if the agency has fully complied with all of the requirements of chapter 536, including but not limited to, section 536.028, if applicable, after August 28, 1998. If the provisions of section 536.028 apply, the provisions of this section are nonseverable and if any of the powers vested with the general

assembly pursuant to section 536.028 to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule are held unconstitutional or invalid, the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void, except that nothing in this section shall affect the validity of any rule adopted and promulgated prior to August 28, 1998.

(L. 1998 H.B. 1601, et al., A.L. 1999 H.B. 343)

RULES

**Title 20—DEPARTMENT OF
INSURANCE, FINANCIAL
INSTITUTIONS AND
PROFESSIONAL REGISTRATION
Division 2115—State Committee of Dietitians**

Chapter 1—General Rules

20 CSR 2115-1.010 General Organization

PURPOSE: This rule complies with section 536.023(3), RSMo, which requires each agency to adopt, as a rule, a description of its operation and the methods and procedures whereby the public may obtain information or make submissions or requests.

(1) The purpose of the committee is to regulate the use of the title licensed dietitian LD, or LDN, to protect the public from misuse or misrepresentation of that title and to implement and sustain a system for the examination and licensure of dietitians in this state.

(2) The director of the Division of Professional Registration or a designated representative of the division shall be responsible for keeping minutes of committee proceedings and perform other duties as directed by the committee and/or the division.

(3) Committee meetings will generally consist of establishing requirements for issuance and renewal of licenses, reviewing applications, interviewing applicants, investigating complaints and inquiries, and determining disciplinary actions regarding licensed dietitians.

(4) The public may obtain information from the committee or make submissions or requests by writing the executive director of the committee at 3605 Missouri Boulevard, PO Box 1335, Jefferson City, MO 65102 or by electronic mail (E-mail) at diet@mail.state.mo.us.

(5) Unless otherwise provided by the statutes or regulations, all meetings of the committee may be conducted according to Robert's Rules of Order.

AUTHORITY: sections 324.200, 324.203, 324.225, and 324.228, RSMo 2016. This rule originally filed as 4 CSR 115-1.010. Original rule filed March 15, 2000, effective Sept. 30, 2000. Moved to 20 CSR 2115-1.010, effective Aug. 28, 2006. Amended: Filed May 11, 2018, effective Nov. 30, 2018.*

**Original authority: 324.200, RSMo 1998, amended 2004, 2008, 2018;*

324.203, RSMo 1998, amended 1999, 2004, 2008; 324.225, RSMo 1998; 324.228, RSMo 1998, amended 1999.

20 CSR 2115-1.020 Name and Address Changes

PURPOSE: This rule outlines the requirements and procedures for notifying the committee of name and address changes.

(1) A licensed dietitian shall ensure that the committee has the current legal name and address of the licensee.

(2) A licensed dietitian whose name is changed by marriage or court order shall notify the committee within thirty (30) days of the name change and provide a copy of the appropriate document verifying the name change.

(3) A licensed dietitian whose address or phone number has changed shall inform the committee in writing of the change within thirty (30) days of the effective date of this change.

AUTHORITY: sections 324.200, 324.203, 324.225 and 324.228, RSMo Supp. 1999. This rule originally filed as 4 CSR 115-1.020. Original rule filed March 15, 2000, effective Sept. 30, 2000. Moved to 20 CSR 2115-1.020, effective Aug. 28, 2006.*

**Original authority: 324.200, RSMo 1998; 324.203, RSMo 1998, amended 1999; 324.225, RSMo 1998; 324.228, RSMo 1998, amended 1999.*

20 CSR 2115-1.030 Complaint Handling and Disposition

PURPOSE: This rule establishes a procedure for the receipt, handling, and disposition of public complaints pursuant to the mandate of section 620.010.15(6), RSMo.

(1) The Division of Professional Registration, in coordination with the State Committee of Dietitians, will receive and process each complaint made against any licensed dietitian in which the complaint alleges certain acts or practices that may constitute one (1) or more violations of the provisions of sections 324.200–324.225, RSMo, or administrative rules. Any member of the State Committee of Dietitians may file a complaint with the division or committee while holding office provided that member is excused from further committee deliberation or activity concerning the matters alleged within that complaint. Any division staff member or committee member may file a complaint pursuant to this rule in the same manner as any member of the public.

(2) Complaints shall be mailed or delivered to the following address: State Committee of Dietitians, 3605 Missouri Boulevard, P.O. Box 1335, Jefferson City, MO 65102.

(3) All complaints shall be made in writing and shall fully identify the complainant by name and address. Verbal or telephone communication will not be considered or processed as a complaint, however, the person making such communication will be asked to supplement the communication with a written complaint. Complaints may be based upon personal knowledge, or upon information and belief, reciting information received from other sources. Individuals with special needs, as addressed by the Americans with Disabilities Act, may notify the committee office at (573) 522-3438 for assistance.

(4) Each complaint received under this rule will be logged and maintained by the division. The log will contain a record of each complainant's name; the name and address of the subject(s) of the complaint; the date each complaint was received by the division/committee; a brief statement concerning the alleged acts or practices and the ultimate disposition of the complaint. This log shall be a closed record of the division.

(5) Each complaint received under this rule shall be acknowledged in writing. The complainant and licensee shall be notified of the ultimate disposition of the complaint.

(6) This rule shall not be deemed to limit the authority of the committee to file a complaint with the Administrative Hearing Commission charging the licensee with any actionable conduct or violation, whether or not such a complaint exceeds the scope of the acts charged in a preliminary public complaint filed with the committee.

(7) The division shall interpret this rule, which is required by law, to exist for the benefit of those members of the public who submit complaints to the committee. This rule is not deemed to protect, or inure the benefit of those licensees or other persons against whom the committee has instituted or may institute administrative or judicial proceedings concerning possible violations of the provisions of sections 324.200–324.225, RSMo.

*AUTHORITY: sections 324.217 and 324.228, RSMo 2016. * This rule originally filed as 4 CSR 115-1.030. Original rule filed March 15, 2000, effective Sept. 30, 2000. Moved to 20 CSR 2115-1.030, effective Aug. 28, 2006. Amended: Filed May 11, 2018, effective Nov. 30, 2018.*

**Original authority: 324.217, RSMo 1998, amended 1999, 2001 and 324.228, RSMo 1998, amended 1999.*

20 CSR 2115-1.040 Fees

PURPOSE: This rule establishes and fixes the various fees and charges for the State Committee of Dietitians.

(1) The following fees are hereby established by the State Committee of Dietitians:

(A) Application Fee	\$ 50.00
(B) Reciprocity Fee	\$ 50.00
(C) Biennial Renewal Fee	\$ 20.00
1. Effective Jan. 1, 2016, to Dec. 31, 2017	\$ 10.00
2. Effective January 1, 2018	\$ 20.00
(D) Delinquent Fee	\$ 50.00
(E) Verification Fee	\$ 10.00
(F) Duplicate License Fee	\$ 5.00
(G) Duplicate Wall-Hanging Fee	\$ 5.00
(H) Return Check Fee	\$ 25.00
(I) Biennial Inactive License Fee	\$ 25.00

(2) All fees are nonrefundable.

(3) The provisions of this rule are hereby declared severable. If any fee fixed by this rule is held invalid by a court of competent jurisdiction or by the Administrative Hearing Commission, the remaining provisions of this rule shall remain in full force, unless otherwise determined by a court of competent jurisdiction or by the Administrative Hearing Commission.

AUTHORITY: section 324.228, RSMo 2000, and section 324.212.4, RSMo Supp. 2013. This rule originally filed as 4 CSR 115-1.040. Original rule filed March 15, 2000, effective Sept. 30, 2000. Amended: Filed June 16, 2003, effective Dec. 30, 2003. Amended: Filed Jan. 17, 2006, effective July 30, 2006. Moved to 20 CSR 2115-1.040, effective Aug. 28, 2006. Emergency amendment filed Nov. 15, 2011, effective Dec. 20, 2011, expired June 16, 2012. Amended: Filed Nov. 15, 2011, effective May 30, 2012. Amended: Filed May 28, 2015, effective Nov. 30, 2015.*

**Original authority: 324.212.4, RSMo 1998, amended 1999, 2001, 2009 and 324.228 RSMo 1998, amended 1999.*

**Title 20—DEPARTMENT OF
INSURANCE, FINANCIAL
INSTITUTIONS AND
PROFESSIONAL REGISTRATION
Division 2115—State Committee of Dietitians**

Chapter 2—Licensure Requirements

20 CSR 2115-2.010 Application for Licensure/Reciprocity

PURPOSE: This rule provides instructions for filing applications with the Office of the State Committee of Dietitians.

(1) Applications for licensure shall be submitted on the forms provided by the committee and may be obtained by writing the committee at 3605 Missouri Boulevard, PO Box 1335, Jefferson City, MO 65102, or by electronic mail (email) at diet@pr.mo.gov.

(2) An application is not considered officially filed with the committee until it has been determined by the committee or division staff to be complete. The application shall be submitted on the form provided by the committee, typewritten or printed in black ink, signed, notarized, and accompanied by the application fee pursuant to rules promulgated by the committee and any other applicable forms required by the committee.

(3) All applicants including applicants for licensure by reciprocity shall request that each state, United States territory, province, or country regulatory entity in which a license, certificate, registration, or permit as a licensed dietitian or similar title is held or has ever been held to submit verification of licensure, certification, registration, or permit directly to the committee. The verification shall include the type of license, registration, certification, or permit issued; the number; status; issue and expiration dates; information regarding any disciplinary action; method of licensure, registration, or certification; and the name and title of the person verifying the information with date and board seal.

AUTHORITY: sections 324.210.4, 324.212, 324.215, and 324.228, RSMo 2016. This rule originally filed as 4 CSR 115-2.010. Original rule filed March 15, 2000, effective Sept. 30, 2000. Moved to 20 CSR 2115-2.010, effective Aug. 28, 2006. Amended: Filed Nov. 21, 2006, effective May 30, 2007. Amended: Filed Nov. 15, 2011, effective May 30, 2012. Amended: Filed May 11, 2018, effective Nov. 30, 2018.*

**Original authority: 324.210.4, RSMo 1998, amended 1999, 2004, 2009, 2018; 324.212, RSMo 1998, amended 1999, 2001, 2009; 324.215, RSMo*

1998, amended 1999, 2004, 2018; and 324.228, RSMo 1998, amended 1999.

20 CSR 2115-2.020 Qualifications for Licensure

PURPOSE: This rule outlines the qualifications necessary for licensure.

(1) Any person applying for licensure shall—

(A) Submit a photocopy of current registration card or other verification, as approved by the committee, from the Commission on Dietetic Registration (CDR) that the applicant is currently registered.

(2) Following review of each application by the committee, the applicant shall be informed in writing of the decision regarding application for licensure. Applicants that are approved for licensure will receive one (1) license. Duplicate licenses may be provided upon payment of the appropriate fee pursuant to rules promulgated by the committee.

AUTHORITY: sections 324.210 and 324.228, RSMo 2016. This rule originally filed as 4 CSR 115-2.020. Original rule filed March 15, 2000, effective Sept. 30, 2000. Moved to 20 CSR 2115-2.020, effective Aug. 28, 2006. Amended: Filed Nov. 15, 2011, effective May 30, 2012. Amended: Filed May 11, 2018, effective Nov. 30, 2018.*

**Original authority: 324.210, RSMo 1998, amended 1999, 2004, 2009, 2018 and 324.228, RSMo 1998, amended 1999.*

20 CSR 2115-2.030 Examination for Licensure

PURPOSE: This rule sets forth the examination requirements established by the committee for dietitian licensure.

(1) The committee approves the examination offered by the Commission on Dietetic Registration (CDR) for the Academy of Nutrition and Dietetics.

(2) All applicants for licensure by examination shall meet the criteria established by the CDR for eligibility to take the examination and shall obtain the passing score as set by CDR.

AUTHORITY: sections 324.210.3 and 324.228, RSMo 2016. This rule originally filed as 4 CSR 115-2.030. Original rule filed March 15, 2000, effective Sept. 30, 2000. Moved to 20 CSR 2115-2.030, effective Aug. 28, 2006. Amended: Filed May 11, 2018, effective Nov. 30, 2018.*

**Original authority: 324.210.3, RSMo 1998, amended 1999, 2004, 2009, 2018 and 324.228, RSMo 1998, amended 1999.*

20 CSR 2115-2.040 License Renewal

PURPOSE: This rule outlines the process of renewing a license.

(1) All licenses shall be renewed biennially.

(A) All licenses shall be renewed in even numbered years and shall expire on April 1 of each even numbered year.

(B) Each licensed dietitian shall provide the committee with a completed renewal form, issued by the committee that shall contain updated information since the preceding application/renewal period.

(C) Renewal applications shall be mailed to the last known address of each current licensee.

(D) Failure to receive a renewal notice shall not relieve the licensee of the obligation to renew the license in order to use the title licensed dietitian, LD, or LDN and pay the required fee prior to the expiration date of the license.

(E) Deposit of the renewal fee by the division or committee shall not indicate acceptance of the renewal application or that any licensing requirements have been fulfilled.

(F) Renewals shall be postmarked no later than the expiration date of the license, or if the expiration date is a Sunday or federal holiday, the next day.

(G) However, a twenty-nine- (29-) day grace period is established following the date by which every licensed dietitian must renew his/her license. The committee shall cause a license to be renewed if renewal is sought and all fees paid before the expiration of the grace period. Failure to renew before the end of the grace period will result in the licensee paying the renewal fee and delinquent fee pursuant to rules promulgated by the committee.

(2) Failure of a licensee to renew a license before the expiration date will cause the license to be noncurrent. Within two (2) years of the expiration date, the licensee may submit payment of the renewal fee, delinquent fee, and provide the committee with a completed renewal form that shall contain updated information since the preceding application/renewal period.

(3) A licensee who fails to renew a license for a period more than two (2) years after the expiration of the license shall reapply for licensure under regulations in effect at the time of reapplication.

(4) Applicants that are approved for renewal will receive one (1) license. Duplicate licenses may be provided upon payment of the appropriate fee

pursuant to rules promulgated by the committee.

(5) Applicants for renewal shall be required to provide proof from the Commission on Dietetic Registration (CDR) that the licensee has a current registration with CDR.

AUTHORITY: sections 324.212 and 324.228, RSMo 2016. This rule originally filed as 4 CSR 115-2.040. Original rule filed March 15, 2000, effective Sept. 30, 2000. Moved to 20 CSR 2115-2.040, effective Aug. 28, 2006. Amended: Filed Nov. 15, 2011, effective May 30, 2012. Amended: Filed May 11, 2018, effective Nov. 30, 2018.*

**Original authority: 324.212, RSMo 1998, amended 1999, 2001, 2009 and 324.228, RSMo 1998, amended 1999.*

20 CSR 2115-2.045 Inactive Status

PURPOSE: This rule outlines the process of requesting inactive status to maintain a license for a dietitian.

(1) An inactive license shall be renewed biennially. Failure to receive a renewal notice shall not relieve the licensee of the obligation to renew the inactive license and pay the required fee prior to the expiration date of the inactive license. Renewals shall be postmarked no later than the expiration date of the license to avoid the delinquent renewal fee as defined in rules promulgated by the committee.

(2) Each inactive licensee shall provide the committee, at the time of application for renewal of the inactive license, with a completed renewal form issued by the committee that shall contain updated information since the preceding application/renewal period.

(3) Pursuant to section 324.216, RSMo, a licensee shall not practice as a dietitian in the state of Missouri while the license is inactive.

(4) If an inactive licensee wishes to return a license to active status the licensee shall complete a renewal form and pay the renewal fee as stated in the rules promulgated by the committee.

(5) In addition to the requirements set forth in section (4) above, a licensee whose license is inactive shall be required to provide proof from the Commission on Dietetic Registration (CDR) that the inactive licensee has a current registration prior to returning the license to active status.

AUTHORITY: sections 324.210 and 324.216, RSMo Supp. 2011. This rule originally filed as 4 CSR 115-2.045. Original rule filed Jan. 17, 2006, effective July 30, 2006. Moved to 20 CSR 2115-2.045, effective Aug. 28, 2006. Amended: Filed Nov. 15, 2011, effective May 30, 2012.*

**Original authority: 324.210, RSMo 1998, amended 1999, 2004, 2009 and 324.216, RSMo 2004.*

20 CSR 2115-2.050 Duplicate License

PURPOSE: This rule establishes the procedures and requirements for obtaining a duplicate license.

(1) A duplicate license, marked duplicate, may be issued in the event the original becomes lost, destroyed or mutilated or if the licensee requests a duplicate license due to a name change.

(2) Requests for duplicate licenses must be in writing and accompanied by the appropriate fee. If a duplicate license reflecting a name change is desired, the current license, required fee and verification of name change pursuant to 20 CSR 2115-1.030 shall be submitted to the committee office.

AUTHORITY: sections 324.212.3, RSMo Supp. 2006 and 324.228, RSMo 2000. This rule originally filed as 4 CSR 115-2.050. Original rule filed March 15, 2000, effective Sept. 30, 2000. Moved to 20 CSR 2115-2.050, effective Aug. 28, 2006. Amended: Filed Nov. 21, 2006, effective May 30, 2007.*

**Original authority: 324.212.3, RSMo 1998, amended 1999, 2001; and 324.228, RSMo 1998, amended 1999.*

20 CSR 2115-2.060 Military Training to Meet Requirements for Licensure

PURPOSE: This rule requires the committee to accept evidence of military education, training, or service to be applied toward the requirements for licensure.

(1) Any applicant for licensure may, as part of the evidence of meeting the requisite educational and/or training requirements for licensure, submit evidence of military experience as a member of the military.

(2) The committee shall review the evidence submitted and, if appropriate, make additional inquiry of the applicant to determine the scope and duties of the military experience to determine whether the military experience

shall be counted towards the qualifications for licensure.

(3) In its review of the military experience, the committee shall evaluate the content and nature of the military experience to determine whether that military experience shall count towards the education, training, or service requirements for licensure. The committee shall construe liberally the military experience in determining whether it will count towards the education, training, or service requirements for licensure.

(4) "Military experience" shall mean education, training, or service completed by an applicant while a member of the United States armed forces or reserves, the national guard of any state, the military reserves of any state, or the naval militia of any state.

*AUTHORITY: section 324.007, RSMo Supp. 2013, and section 324.228, RSMo 2000. * Original rule filed July 25, 2016, effective Jan. 30, 2017.*

**Original authority: 324.007, RSMo 2013 and 324.228, RSMo 1998, amended 1999.*

20 CSR 2115-2.061 Renewal of License or Registration for Military Members

PURPOSE: This rule sets forth the procedures for licensees and registrants who are members of any United States or State of Missouri military, pursuant to section 41.950, RSMo, who have served on active military duty, pursuant to section 41.950, RSMo. Specifically, the rule sets forth procedures for the renewal of a license or registration, for completing obligations of the board, and for discipline of a license or registration.

(1) Any individual holding a current license or registration that is engaged in the performance of active military duty who has their license or registration lapse while performing such military service, may renew or reinstate such license or registration without penalty by—

(A) Filing with the board a Notice of Active Military Duty on a form provided by the board or by written communication accepted by the board that shall be signed and dated by the individual and shall contain the individual's name, address, the type of license or registration, license or registration number, and the date of active duty activation, and shall be accompanied by a copy of the individual's active duty orders or other evidence sufficient for the board to determine the dates of active military duty; and

(B) Filing such Notice of Active Military Duty or accepted written communication with the board no later than sixty (60) days after completion of the active duty military service.

(2) Upon receipt and approval of the Notice of Active Military Duty or accepted written communication, the board shall reinstate the individual's license or registration with no further requirements.

(3) If a licensee or registrant fails to take any required action or fails to meet any required obligation of the board while the licensee or registrant is on active military duty, the licensee or registrant shall have at least one hundred eighty (180) days after the end of his or her active military duty to take those actions or fulfill those obligations before any administrative action can be taken by the board.

(4) If the board desires to initiate disciplinary action, administrative action, or any other proceeding where the licensee or registrant is a necessary party and the licensee or registrant is on active military duty, the board shall stay such action or proceeding until at least sixty (60) days after the licensee or registrant returns from active duty.

AUTHORITY: section 41.950, RSMo Supp. 2013, and section 324.228, RSMo 2000. Original rule filed July 25, 2016, effective Jan. 30, 2017.*

**Original authority: 41.950, RSMo 1991, amended 2007, 2009, 2011 and 324.228, RSMo 1998, amended 1999.*

20 CSR 2115-2.062 Issuance of Temporary Courtesy License to Non-resident Military Spouse

PURPOSE: This rule states the requirements and procedures for a non-resident spouse of an active duty member of the military who is transferred to this state in the course of the member's military duty to obtain a temporary courtesy license to practice for one hundred eighty (180) days.

(1) The division shall grant a temporary courtesy license without meeting further requirements for licensure to a "nonresident military spouse" as defined in section 324.008.1, RSMo who provides the committee the following:

- (A) A completed application form;
- (B) A non-refundable application fee, as established by the division pursuant to rule, made payable to the State Committee of Dietitians;
- (C) Verification sent directly to the division from the state, district, or territory in which the applicant holds a current and active license verifying that the applicant holds a current and active license;
- (D) Proof that the applicant has been engaged in active practice in the state, district, or territory of the United States in which the applicant is currently licensed for at least (2) years in the five (5) years immediately preceding this application;

(E) Verification sent directly to division from each state, district or territory of the United States in which the applicant has ever been licensed verifying that—

1. The applicant is, or was at the time of licensure, in good standing;
2. The applicant has not committed an act in any jurisdiction where the applicant has or had a license that would have constituted grounds for the refusal, suspension, or revocation of a license or certificate to practice at the time the act was committed; and
3. The applicant has not been disciplined by a licensing or credentialing entity in another jurisdiction and is not the subject of an unresolved complaint, review procedure, or disciplinary proceeding by a licensing or credentialing entity in another jurisdiction;

(F) If the division is unable to determine if the licensing requirements of the state, district, or territory in which the applicant is currently licensed are equivalent to Missouri's licensing requirements, the applicant shall submit documentation regarding the licensing requirements equivalency;

(G) Such additional information as the division may request to determine eligibility for a temporary courtesy license.

(2) Any temporary courtesy license issued pursuant to this rule shall be valid for one hundred eighty (180) days from the date of issuance and may be extended for another one hundred eighty (180) days upon submission of a written request by the holder of the temporary courtesy license.

(3) If a nonresident military spouse seeks full licensure in this state during the time while the temporary courtesy license is valid, he or she may request full licensure by filing a written request with the division. Any fees paid for a temporary courtesy license shall be credited towards the application fees due for full licensure.

AUTHORITY: section 324.008, RSMo Supp. 2013, and section 324.228, RSMo 2000. Original rule filed July 25, 2016, effective Jan. 30, 2017.*

**Original authority: 324.008, RSMo 2011 and 324.228, RSMo 1998, amended 1999.*

